

A06: Bullying, Harassment and Discrimination Prevention Policy

1.0 Purpose

NZSEG is committed to providing a secure, supportive and harmonious environment for all learners and staff, one which:

- Recognises and values the diversity, potential and contribution of all people
- Is free from all forms of bullying, harassment and discrimination.

NZSEG regards bullying, harassment and discrimination of any kind as unacceptable and acknowledges that it seriously undermines the atmosphere of trust and respect that is essential to a healthy work and study environment.

NZSEG expects that employees and learners will not engage in any form of conduct that involves bullying, harassment or discrimination.

2.0 Policy

2.1 Harassment and Discrimination are unlawful under both the Employment Relations Act 2000 and the Human Rights Act 1993 and The Education (Pastoral Care of Tertiary and International Learners Code of Practice 2021 (the Code). Individuals who harass or discriminate may be legally liable if harassment or discrimination occurs. In addition, many of the things that constitute harassment are also offences or crimes.

2.2 Bullying is unlawful under the Health and Safety at Work Act 2015 and its amendments which imposes a statutory duty on employers to provide a safe working environment.

2.3 NZSEG will:

- 2.3.1** Ensure that this policy is implemented through procedures that are timely, fair and equitable to all parties;
- 2.3.2** Maintain a proactive approach to the provision of a safe work and study environment;
- 2.3.3** View all allegations and false allegations of bullying, harassment and discrimination seriously;
- 2.3.4** Apply processes and have policies and procedures in place that are seen to be fair and impartial and undertake to investigate formal complaints appropriately;
- 2.3.5** Have an adequate and proactive support network in place.
- 2.3.6** Seek to redress issues of bullying, harassment and discrimination and will endeavour to ensure that no detrimental consequences result for the person who was bullied, harassed or discriminated against, nor that any person who has made a complaint of bullying, harassment or discrimination in good faith is victimised.
- 2.3.7** Take reasonable steps to prevent repetition of proven bullying, harassment or discrimination.
- 2.3.8** Satisfy its legal obligations under New Zealand human rights, employment and education legislation with respect to harassment.

3.0 Procedure

- 3.1** New employees will be informed of NZSEG's policy on bullying, harassment and discrimination and will receive relevant information in the Staff Handbook.
- 3.2** Learners will be provided information on NZSEG's policy on bullying, harassment and discrimination in the Student Handbook.
- 3.3** Learner complaints of bullying, harassment, and discrimination will be dealt with using the procedures described in A03 Learner Code of Conduct Policy and A09 Learner Feedback and Complaints Policy.
- 3.4** Managers will recognise their responsibility to implement this policy and programme by modelling appropriate behaviour, monitoring the workplace and intervening in any potential bullying, harassment or discrimination situation of which they become aware.

4.0 Definitions

<i>Discrimination</i>	Under the Human Rights Act 1993, it is unlawful to discriminate on the following grounds: sex, marital status, religious and ethical belief, colour or race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation and the presence of health affecting organisms in the body. This includes intentional and unintentional discrimination.
<i>Racial Harassment</i>	Under section 63 of the Human Rights Act 1993 Racial Harassment covers the use of language (whether written or spoken or nonverbal), or visual material, or behaviour that expresses hostility against, or brings into contempt or ridicule, any other person/s on the ground of colour, race or ethnic origins which is hurtful or offensive (whether or not it is conveyed to that person) or has a detrimental effect.
<i>Sexual Harassment</i>	Under section 62 of the Human Rights Act 1993, Sexual harassment covers any unsolicited, unwelcome behaviour or visual material which causes a verbal or physical affront of a sexual nature. It includes actions (spoken, written or gestures) that refer to sexual intercourse or any other form of sexual activity.
<i>Bullying</i>	Repeated, unreasonable behaviour (including online/digital behaviour) directed toward a person, or a group of people, that creates a risk to the mental or physical health of the person. Bullying can be overt or covert. For bullying to be confirmed it requires words and actions to be carried out repeatedly, for the purpose of gaining power or dominance over another person and with the intention of causing the victim to feel humiliated or feel fear, and to undermine the person, and it has a detrimental effect upon that person's dignity, safety and wellbeing.

5.0 Document Control

5.1 Monitoring and Evaluation:

The Academic Board is responsible for monitoring and evaluating this policy.

Version	Type of Change	Reference	Approval Date	Effective from
1	Development of Policy	AB Action Item 54	23 June 2015	23 June 2015
2	Minor Review and Re-format of Policy	Approved by AB	20 October 2015	20 October 2015
3	Inclusion to NZSEG QMS and Policies.	Approved by the Executive Management Team	16 January 2017	31 January 2017
3.1	Review no changes made	Approved by AB	20 September 2018	20 September 2018
3.2	Minor Review and wording changes	Approved by AB	22 July 2020	22 July 2020
4	Policy review and Formatting	Approved by ELT	February 2025	February 2025